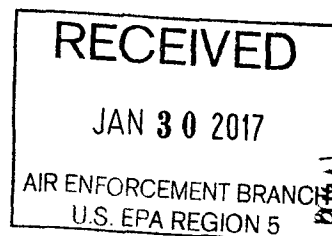




John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director



CERTIFIED MAIL # 91 7108 2133 3932 1837 1998

January 19, 2017

**Re: Clean Harbors Recycling Services
of Ohio, LLC
Notice of Violation (NOV)
Air Permit
Licking County
0145020235**

Jim Childress
Clean Harbors Recycling Services of Ohio, LLC
2815 Old Greenbrier Pike
Tennessee, OH 37073

Subject: Notice of Violation/Partial Resolution of Violation

Dear Mr. Childress:

Thank you for your response to the October 11, 2016 Notice of Violation letter sent to Clean Harbors Recycling Services of Ohio, LLC (Clean Harbors). The records submitted to Ohio EPA Central District Office (CDO) received on October 21, 2016 along with the updated quarterly reports and Title V compliance certification received November 21, 2016 and administrative modification permit applications received December 5, 2016, have been reviewed. Based on the review, it has been determined that Clean Harbors has adequately resolved several of the violations identified in the October 11, 2016 violation letter.

Clean Harbor's response and their status with respect to each of the violations are listed below. Additional violations have also been identified under "Additional Violations" below.

Resolved Violations

Letter Citation: Finding 1

Rule Citation: ORC chapter 3704.05(C), ORC chapter 3704.05(J) and permit terms of several PTIs and Title V permit P0083735 for failing to provide records during the September 12, 2016 inspection.

Clean Harbors submitted records as requested via email on October 21, 2016, therefore, this violation is considered resolved.

Letter Citation: Finding 2

Rule Citation: ORC chapter 3704.05(C), ORC chapter 3704.05(J) and permit terms of PTI 01-08237 and TV permit P0083735 for failing to identify deviations from permit monitoring, recordkeeping, and reporting requirements in their quarterly deviation reports.

Clean Harbors requested an Administrative Modification on October 21, 2016 for PTI 01-08237 to revise the pressure drop across the scrubber. The Administrative Modification was issued final on January 17, 2017 under PTI P0121796, therefore the violation is considered resolved.

Letter Citation: Finding 3

Rule Citation: ORC chapter 3704.05(C), ORC chapter 3704.05(J) and permit terms of PTI 01-08237 and TV permit P0083735 for failing to record the pH of the scrubber liquor, when the RFO was in operation each day.

On November 16, 2016 Clean Harbors submitted 30 consecutive days of pH readings of the scrubber when the RFO was in operation each day. Therefore, the violation is considered resolved.

Letter Citation: Finding 4

Rule Citation: ORC chapter 3704.05(C), ORC chapter 3704.05(J) and permit terms of PTI 01-08237 and TV permit P0083735 for failing to identify deviations from permit monitoring, recordkeeping, and reporting requirements in their quarterly deviation reports and Title V compliance certifications.

Clean Harbors submitted the requested reports via Air Services on November 21, 2016, therefore, this violation is considered resolved.

Additional Violations

Based on the review of records provided, CDO has identified the following violations of Ohio Revised Code (ORC) Chapter 3704.05(C) and the terms and conditions of the air permits listed below. In order to bring your facility into compliance, we recommended promptly addressing these violations within the timeframes specified below.

1. ORC Chapter 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

ORC Chapter 3704.05(J): *"No person shall...[v]iolate any applicable requirement of a Title V permit or any permit condition..."*

Permit terms and conditions contained in the following:

- PTI 01-1574 issued final April 13, 1988 for loading racks for bulk truck loading (emissions units J002 and J003);
- PTI 01-1338 issued final January 16, 2003 for LUWA #2 Thin Film Evaporator (emissions unit P009)
- Title V operating permit P0083735 issued on January 16, 2003 (emissions units J002, J003, P001, P004 and P009)
 - a) The facility's records indicate the following emissions units experienced emissions exceedances:

- J002 exceeded the pound per hour (lb/hr) organic compound (OC) emission limitation (23) days in 2014, (59) days in 2015, and (29) days in 2016;
 - J003 exceeded the lb/hr OC emission limitation (19) days in 2014, (23) days in 2015, and (13) days in 2016.
 - P001 exceed the pound per day (lb/day) OC emission limitation (4) days in 2016;
 - P004 exceeded the lb/day OC emission limitation (2) days in 2014 and (2) days in 2016; and
 - P009 exceeded the lb/day OC emission limitation (2) days in 2016.
- b) Clean Harbors also failed to identify the deviations of their permit requirements, as documented in Findings 1.a) above, in their quarterly deviation reports and annual Title V compliance reports.
- c) **Requested Actions:** For P001, P004 and P009, Clean Harbors shall submit a compliance plan and schedule to address the above violations within 30 days of receipt of this letter. The plan should include any corrective actions taken to ensure compliance with the hourly OC emission rate including dates of completion or planned completion.

For J002 and J003, Clean Harbors submitted comments during the draft Title V application comment period on November 16, 2016 stating an administrative modification would be submitted to remove the hourly organic compound (OC) emission limit in PTI 01-1574. CDO agreed to the removal of the hourly OC emission limitation and requested Clean Harbors submit an administrative modification. At this time, Clean Harbors has not submitted an administrative modification to remove the hourly OC emission limitation. Clean Harbors should submit the administrative modification request within 30 days of receipt of this letter.

2. ORC Chapter 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

ORC Chapter 3704.05(J): *"No person shall...violate any applicable requirement of a Title V permit or any permit condition..."*

Permit terms and conditions A.IV.1.a. – b. of TV PTO P0083735 for emissions unit P001, P004, P006, P007 and P008.

- a) The facility records indicate the following emissions units operated for more than the allowable hours when bypassing the thermal oxidizer:
 - 1) P001 exceeded the daily bypass hours (2) days in 2014, (2) days in 2015 and (7) days in 2016;
 - 2) P004 exceeded the daily bypass hours (2) days 2014, (3) days in 2015, and (9) days in 2016.
 - 3) P006 exceeded the daily bypass hours (1) day in 2016;
 - 4) P007 exceeded the daily bypass hours (1) day in 2016; and
 - 5) P008 exceeded the daily bypass hours (1) day in 2016.
 - b) Clean Harbors failed to record the average temperature of the exhaust gases, when the above listed emissions units bypassed the thermal oxidizer greater than the allowable hours, from the condenser during each 3-hour block of time.
 - c) **Requested Actions:** CDO requests that Clean Harbors immediately begin recording the average temperature of the exhaust gases, when the above listed emissions units bypass the thermal oxidizer, from the condenser during each 3-hour block of time, when the condenser operated at a temperature
3. ORC Chapter 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

ORC Chapter 3704.05(J): *"No person shall...[v]iolate any applicable requirement of a Title V permit or any permit condition..."*

PTI 01-1574 issued final April 13, 1988 for loading racks for bulk truck loading (emissions units J002 and J003);

PTI 01-1338 issued final January 16, 2003 for LUWA #2 Thin Film Evaporator (emissions unit P009)

Permit terms and conditions A.IV.1. of TV PTO P0083735 for emissions units J002, J003, P001, P004, P006, P007, P008 and P009

- a) Clean Harbors was required to identify deviations from permit monitoring, recordkeeping, and reporting requirements in their quarterly deviation reports.
- b) Clean Harbors was required to identify their compliance status with each federally enforceable term of the Title V permit in their annual Title V compliance reports.
- c) Clean Harbors failed to identify the deviations of their permit requirements, as documented in Findings 1.(a) and 2.(a) above, in their quarterly deviation reports and annual Title V compliance reports.
- d) **Requested Actions:** CDO requests that Clean Harbors immediately begin identifying all deviations in accordance with the reporting requirements specified in the terms and conditions of their PTIs and Title V permit and reporting them through the appropriate quarterly deviation reports and Title V compliance certifications.

Conclusion

Ohio EPA requests that Clean Harbors promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within 30 days of receipt of this letter, please provide, to Ohio EPA, the documentation requested above. Permit applications and compliance reports should be submitted electronically through Air Services.

If you have already resolved the violations listed above thank you, and please provide documentation supporting compliance. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate.

Failure to comply with Chapter 3704 of the Ohio Revised Code and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay resolution of violations, Clean Harbors is requested to submit written correspondence describing the steps that will be taken by date certain to attain compliance.

Jim Childress
Clean Harbors Recycling Services of Ohio, LLC
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Please note that Clean Harbors' submission of any requested information to respond to this letter or Ohio EPA's notification of partial resolution of violation(s) in this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704.06 of the Ohio Revised Code.

Should you have any questions, please contact Stephanie Habinak at (614) 995-0673 or stephanie.habinak@epa.ohio.gov.

Sincerely,



Kelly Toth
Air Unit Manager
Division of Air Pollution Control
Central District Office

c: Kelly Toth, DAPC/CDO Ohio EPA

ec: John Paulian, DAPC/CO Ohio EPA
Jim Kavalec, DAPC/CO Ohio EPA

~~KJ/ct~~ Clean Harbors ROV NOV
BC: Brian Dickens, USEPA, Region V